

REQUEST FOR COUNCIL ACTION

MEETING
DATE: 01-21-04

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AGENDA SECTION: CONSENT AGENDA	ORIGINATING DEPT: PLANNING	ITEM NO. D-15
ITEM DESCRIPTION: Orderly Annexation #04-01, by Robert Eide. The applicant is petitioning to annex four parcels of land totaling approximately 2 acres in accordance with the Orderly Annexation Agreement with Marion Township. The property is located along the south side of T.H. 14 East, east of the Knights of Columbus and west of the Hundred Acre Woods Subdivision.		PREPARED BY: Theresa Fogarty, Planner

January 13, 2004

Planning Department Recommendation:

See attached staff report, dated January 13, 2004.

As part of the Orderly Annexation Agreement, property taxes payable on annexed land shall continue to be paid to the Town of Marion for the entire year in which the annexation becomes effective. If the annexation becomes effective on or before August 1 of a levy year, based on the date specified in the order from the Minnesota Municipal Board, the City may levy on the annexed areas beginning with that levy year. If the annexation becomes effective after August 1 of a levy year, the Town may continue to levy on the annexed area for that levy year. Thereafter property taxes on the annexed land shall be paid to the City.

Council Action Needed:

- 1. If the Council wishes to proceed as petitioned, it should instruct the City Attorney to prepare a resolution to be adopted and transmitted to the Department of Administration – Municipal Boundary Adjustments.***
- 2. The signed resolution and a copy of the Joint Resolution for Orderly Annexation (Marion Area #2) should be transmitted to the Department of Administration – Municipal Boundary Adjustments by the City Clerk (attached is a filing fee for the application in the amount of \$25). The resolution and a copy of the Joint Resolution shall also be sent to the Town of Marion and the Olmsted County Auditor/Treasurer.***

Attachments

1. Staff report, dated January 13, 2004.

Distribution:

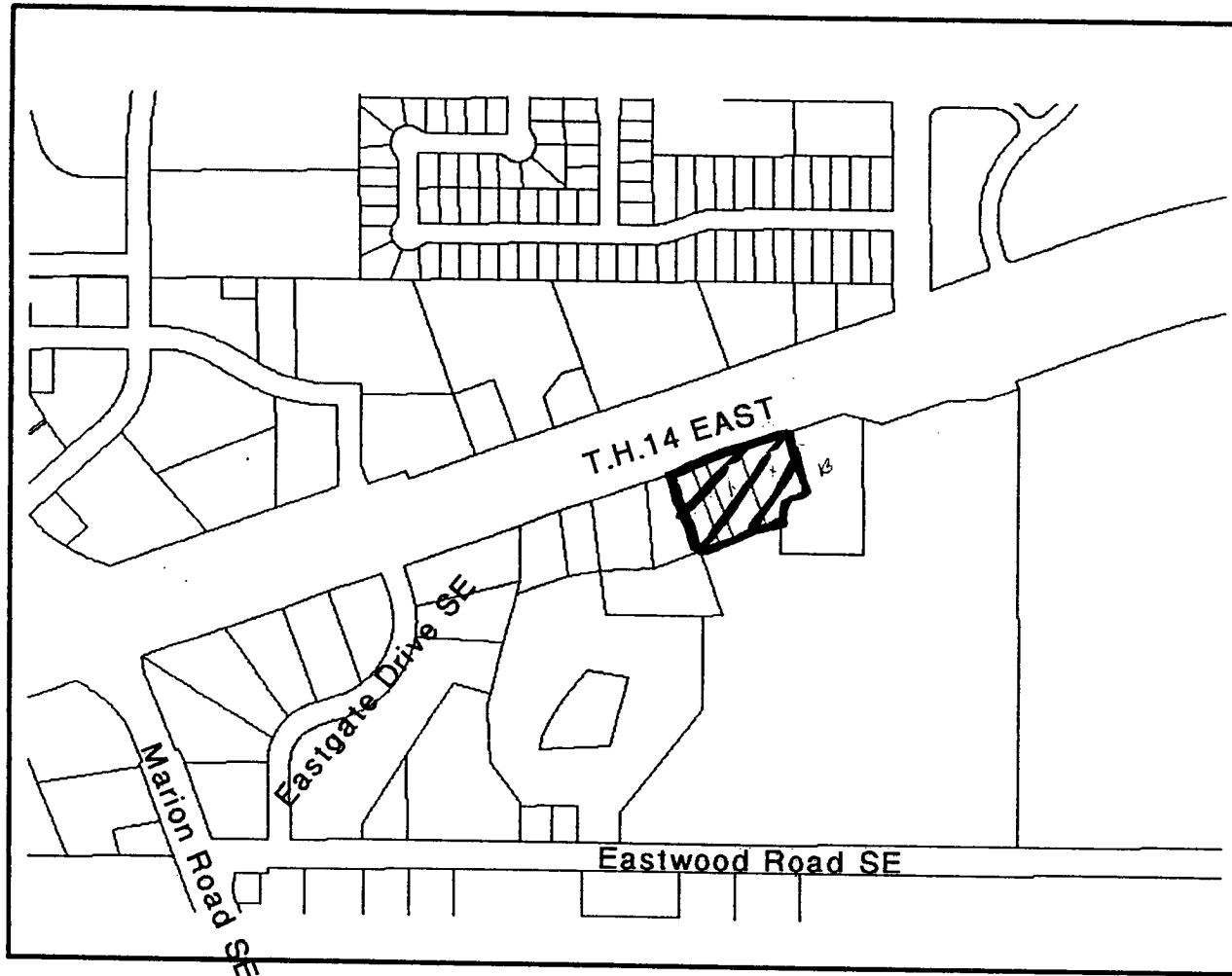
1. City Administrator
2. City Clerk: Filing Fee Attached
3. City Attorney: Legal Description Attached
4. City Finance Director: Tax Information Attached
5. Planning Department File
6. Applicant: This item will be considered sometime after 7:00 p.m. on Wednesday, January 21, 2004 in the Council Chambers at the Rochester / Olmsted County Government Center.

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

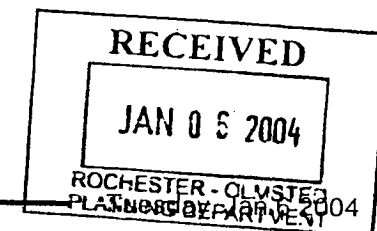
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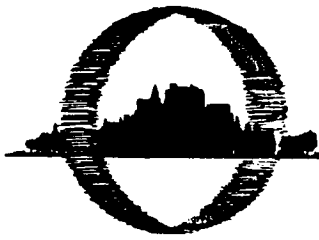
ESRI ArcExplorer 2.0

Map Title



- airport.dwg
2003januaryparcels
Property Information
countyzoningfeb2003 (ZONING_DIS)
- Agricultural
 - Agricultural Protection
 - Agricultural Residential C
 - Agricultural Urban Expansi
 - Highway Commercial
 - Industrial
 - Low Density Residential
 - Mixed Low Density Resident
 - Recreational Commercial
 - Rural Residential
 - Rural Service Center
 - Special District





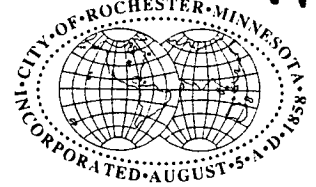
ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF

Olmsted

www.olmstedcounty.com/planning



TO: City Council

FROM: Theresa Fogarty, Planner

DATE: January 13, 2004

RE: Orderly Annexation #04-01, by Robert Eide. The applicant is petitioning to annex four parcels of land totaling approximately 2 acres in accordance with the Orderly Annexation Agreement with Marion Township. The property is located along the south side of T.H. 14 East, east of the Knights of Columbus and west of the Hundred Acre Woods Subdivision.

Planning Department Review:

Applicants/Owners:

Eide Enterprises LLC
Eide/Paulson LLC
EE & P LLC
Robert Eide
2002 Highway 14 East
Rochester, MN 55904

Existing Land Use:

This is currently the location for a drywall business known as Superior Contractors.

Existing Zoning:

The property is zoned B-4 (General Commercial) on the Rochester Zoning Map.

Future Zoning:

Upon annexation, the property will continue to be zoned B-4 (General Commercial) district on the Rochester zoning map.

Land Use Plan:

This property is designated for "commercial" uses on the Rochester Urban Service Area Land Use Plan.

Orderly Annexation Agreement:

A Joint Resolution for orderly annexation for certain property situated in the Town of Marion, Olmsted County, State of Minnesota was executed by Marion Township on September 14, 1999 and the City of Rochester September 21, 1999. This property is included in the Joint Resolution (Marion Area #2).

Adjacency to the Municipal Limits:

All four lots are adjacent to the city limits along the south side of TH Highway 14 East.

Utilities:

Pursuant to Minnesota Statutes 414.033 (subd.13), a municipality must notify a petitioner that the cost of electric utility service may change if the land is annexed to the municipality. A notice has been provided to the applicant.

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Sewer and Water: Municipal sewer and water will be available to serve this area.

Townboard Review: Townboard review is not required for this annexation.

Referral Comments: Not required.

Report Attachments: 1. Location Map

Staff Recommendation:

Section 7, Paragraph (b) of the Joint Resolution for Orderly Annexation (Marion Area #2) between the City of Rochester and Townboard of Marion allows any lands contained in the orderly annexation area may be annexed to the City upon adoption of a resolution when a landowner abuts the City limits and said landowner files a petition for annexation with the City. In such instance, review by the Rochester Planning and Zoning Commission shall not be required prior to the City acting upon said petition.

Staff recommends that the City adopt a resolution annexing the property.